

OFFICE OF THE SHERIFF



COUNTY OF LOS ANGELES

HALL OF JUSTICE

JIM MCDONNELL, SHERIFF

September 15, 2016

Deputy Caren C. Mandoyan, #[redacted] Date of Department Hire 07/11/2000
[redacted]

Dear Deputy Mandoyan:

On August 15, 2016, you were served with a Letter of Intention indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under File Number IAB 2383392. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. However, after review and consideration of the response submitted to support your position, it has been determined that the recommended discipline is appropriate.

You are hereby notified that you are discharged from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective as of the close of business on September 14, 2016.

An investigation under File Number IAB 2383392, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of the Department's Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/030.15, Conduct Toward Others; and/or 3-01/030.10, Obedience to Laws, Regulations and Orders (as it pertains to 273.5 P.C., Domestic Violence, and/or 594 P.C., Vandalism); and/or 3-01/030.16, Family Violence, on or about September 1, 2014, while off duty, you, who had a personal/intimate relationship with Deputy [redacted] failed to treat her in a respectful, courteous, and civil manner, and/or

exercised poor judgment when you antagonized her and engaged in an act of violence against her causing injury, as evidenced by, but not limited to the following:

a. pushing and/or grabbing Deputy [redacted] by her arm; and/or,

b. placing your hand around Deputy [redacted] neck and/or squeezing it, restricting her ability to breath; and/or,

c. using your foot to stop Deputy [redacted] from closing her door as she tried to retreat from your assault; and/or,

d. damaging the door to Deputy [redacted] residence; and/or,

e. using Deputy [redacted] home surveillance camera system without her permission or knowledge to observe her activities while she was in her home; and/or,

f. following Deputy [redacted] without her knowledge as she was accompanied to an eating establishment by another man; and/or,

g. listening to Deputy [redacted] as she engaged in sexual intercourse with another man.

Your conduct brought discredit to yourself and the Department.

2. That in violation of the Department's Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/030.15, Conduct Toward Others; and/or 3-01/030.10, Obedience to Laws, Regulations and Orders (as it pertains to 602 P.C., Trespassing, and/or 459 P.C., Burglary); on or about, or between March 2013 and July, 2015, while off duty, you, who had a personal/intimate relationship with Deputy [redacted] failed to treat her in a respectful, courteous, and civil manner, and/or exercised poor

judgment when you continuously antagonized and harassed her as evidenced by, but not limited to:

a. generating and/or sending unwanted text messages to Deputy [redacted] and/or,

b. making unwanted phone calls to Deputy [redacted] and/or,

c. arriving at Deputy [redacted] esidence, entering her patio/balcony area and repeatedly knocking on her sliding glass door; and/or,

d. being captured on a video-recording attempting to gain entry into Deputy [redacted] residence through the balcony sliding glass door; and/or

e. using a tool/object "pulley" to pry Deputy [redacted] sliding glass door off of the track system; and/or,

f. attempting to gain entry into Deputy [redacted] residence even after Deputy [redacted] repeatedly told you to go away; and/or,

g. opening Deputy [redacted] bathroom window from outside of the residence without her permission; and/or,

h. attempting to enter Deputy [redacted] residence through the bathroom window without her permission.

3. That in violation of the Department's Manual of Policy and Procedures Sections 3-01/030.05, General Behavior and/or 3-01/030.10, Obedience to Laws, Regulations and Orders, and/or 3-01/050.30, Off - Duty Incidents, on or about July 14, 2015, you brought discredit upon yourself and/or the Department as

evidenced by, but not limited to:

a. being named as a Domestic Violence/Stalking suspect in an El Segundo Police Department Crime Report (#15-1659); and/or,

b. having a domestic violence restraining order filed against you (North Valley District Chatsworth Courthouse under case # YQ023010); and/or,

c. failing to immediately notify your immediate supervisor and/or watch commander that you were served, and named in, a domestic violence restraining order. The order restricted your ability to possess firearms.

4. That in violation of Manual of Policy and Procedures Sections 3-01/040.69; Honesty Policy, and/or, 3-01/040.70 Dishonesty/False Statements; and/or, 3-01/040.75 Dishonesty/Failure to Make Statements and/or Making False Statements During Departmental Internal Investigation, on or about July 14, 2016, you failed to make truthful, complete and/or accurate statements in your administrative interview, as evidenced by, but not limited to:

a. denying that you attempted to enter into Deputy [redacted] residence by way of her sliding glass door; and/or,

b. denying that you attempted to enter into Deputy [redacted] residence through her bathroom window; and/or,

c. stating you used a tool/object/"pulley" handle to enter Deputy [redacted] residence only to knock on the door and get Deputy [redacted] attention for the purposes of retrieving his backpack and key; and/or,

d. stating you opened and/or entered Deputy [redacted] bathroom window for the purpose of "apologizing".

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet which are incorporated herein by reference.

In taking this disciplinary action, your record with this Department has been considered, and a thorough review of this incident has been made by Department executives, including your Unit and Division Commanders.

You may appeal the Department's action in this matter pursuant to Rules 4.02, 4.05 and 18.02 of the Civil Service Rules.

You may, if you so desire, within fifteen (15) business days from the date of service of this notice of discharge, request a hearing on these charges before the Los Angeles County Civil Service Commission, 500 W. Temple Street, Room 522, Los Angeles, California 90012.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

JIM McDONNELL, SHERIFF

BOBBY D. DENHAM, CHIEF
CENTRAL PATROL DIVISION

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures and Civil Service Rules.

BDD:KM:JMR:jp

cc: Advocacy Unit
Chief Bobby D. Denham, Central Patrol Division
Steven J. Sciacca, Captain, South Los Angeles Station
Internal Affairs Bureau
Kimberly L. Unland, Captain, Personnel Administration
Doreen Garcia, Pay and Leave Management

(Attachment)

CIVIL SERVICE RULES

"4.02 Petition for Hearing

Such petition shall be in writing, signed by the petitioner, or the petitioner's representative, and shall give the signer's mailing address and specify the ruling or action appealed and in plain language and in detail sufficient facts and reasons upon which the petitioner's case is based."

"4.05 Time Within Which Petition Must be Filed

A. Unless otherwise provided in these Rules, a petition for hearing before the commission must be filed within the following time limits:

   1. In a discharge, reduction or suspension over five days within fifteen (15) business days after service of letter of discharge, reduction or suspension of over five days;

   2. In all other matters except as provided in Rule 6.07, not later than ten (10) business days after the ruling or order complained of.

B. Commission may extend the time limits for filing a petition only after consideration of a showing of good cause for the delay which has been submitted in writing. If the commission extends the time limits, the commission shall specify the facts which the commission deems to constitute good cause. The filing of a departmental grievance or an appeal in another jurisdiction, such as the Employee Relations Commission, shall not constitute good cause for extending the time limits for filing a petition with the commission."

(Attachment)

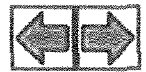
CIVIL SERVICE RULES

"18.02 Discharge or Reduction

A. A permanent employee may be discharged from County service or reduced in rank or compensation after appointment or promotion is complete, and after completion of the employee's first probationary period (except as provided in Rule 18.06). Before such discharge or reduction shall become effective, the employee shall receive a written notice from the appointing power of intent to invoke discharge or reduction, and specific grounds and particular facts therefor. The employee shall then be allowed a reasonable time, not to exceed ten (10) days, to respond orally or in writing to the appointing power before the discharge or reduction shall become effective.

B. When a permanent employee is discharged or reduced, the employee shall be allowed fifteen (15) business days from date of service of said notice of discharge or reduction in which to reply thereto in writing and request a hearing before the Commission. Notice of the time allowed for answer and for requesting a hearing before the Commission shall be stated in the notice of discharge or reduction. The appointing power shall submit to the Commission evidence showing that the employee has been served with the notice of discharge or reduction either personally or by certified or registered mail addressed to the employee's last known address, and the date of such service.

C. The Commission may not consider any information or charges made by the appointing power unless they are contained in the letter of discharge or reduction, nor any made by the employee unless the employee has previously provided them to the appointing power for consideration, unless such information or charges were not then known and could not reasonably have been expected to be known by the appointing power or the employee. The Commission shall determine whether or not the discharge or reduction is justified."



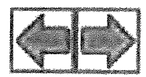
3-01/030.05 GENERAL BEHAVIOR

A member shall not act or behave while on or off duty in such a manner as to bring discredit upon himself or the Department.

Members' arrests and/or referrals for prosecution are an embarrassment to the Department and bring discredit upon the member and the Department regardless of whether a criminal case is filed and/or ultimately results in a conviction or plea agreement.

Members who are publicly intoxicated to the extent their recollection about an allegation of misconduct is affected have brought discredit upon themselves and/or the Department.

Revised 06/07/13
04/01/96 MPP

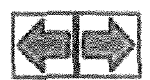


3-01/030.15 CONDUCT TOWARD OTHERS

Employees shall observe the following rules of conduct:

- members shall conduct themselves in a manner that will foster the greatest harmony and cooperation between themselves and the Units of the Department;
- members shall not intentionally antagonize any person with whom they come in contact and shall treat all persons in a respectful, courteous and civil manner;
- members not otherwise subject to the provisions of section 3-01/110.45, Business Cards, shall provide their full name without delay upon request of any member of the public;
- Deputy personnel issuing traffic citations shall proceed in a courteous, fair, firm, impartial and businesslike manner. They shall scrupulously avoid any display of officious or overbearing attitude and shall not use any language designed to belittle, ridicule or embarrass the violator. Deputy personnel shall avoid any unnecessary loss of time for the violator and make every effort consistent with accuracy to expedite the issuance of the citation;
- in the presence of persons from outside the Department, members shall address Deputy personnel by their rank and civilian personnel by their title (e.g., Mr., Mrs., Miss, Ms.);
- a member shall not at any time or for any reason willfully subject any person or animal to cruel treatment or willfully neglect necessary humane action;
- when referring to the three general groups of employees of this Department, the following terms shall be used:
  - employees classified as "Deputy Sheriff" shall be referred to as "Deputy personnel;"
  - employees classified as "corrections officer" shall be referred to as "corrections officers;" and
  - All other classifications, including uniformed civilians, shall be referred to as "civilian personnel;"
- members of this Department are prohibited from recording, through the use of digital, audio or video tape, any member of this Department without that member's express consent. Consent is not required to record statements made during a public gathering or in those circumstances in which the parties to the communication reasonably expect that the communication may be overheard or recorded. Pursuant to Government Code Section 3303(g), consent is not required to tape record an officer's interrogation as a result of an administrative investigation.

Revised 12/12/13
Revised 06/01/12
Revised 10/05/04
04/01/96 MPP



3-01/030.10 OBEDIENCE TO LAWS, REGULATIONS, AND ORDERS

a) Members shall not willfully violate any federal statute, state law or local ordinance;

b) Members shall conform to and abide by the following:

- Charter of Los Angeles County;
- Los Angeles County Code; and
- Rules of the Department of Human Resources;

c) Members shall obey and properly execute all lawful orders issued by any supervisor of higher rank or classification or who is officially acting in such capacity;

d) When assigned to duty with another member of the Department, an employee shall be subject to disciplinary action for any violation by the other member of any provision of this chapter unless the employee was unaware of the violation or unless the employee, if the situation permits safe and prudent action, attempts in good faith to prevent the violation and, at the earliest reasonable time, reports the violation to his supervisor;

e) Members who violate any rules, regulations, or policies of the Department or the County, shall be subject to disciplinary action. The commission or omission of any other act contrary to good order and discipline shall also be the subject of disciplinary action;

f) Members who are arrested or detained for any offense, or named as a suspect, other than an infraction under the Vehicle Code, shall immediately notify their immediate supervisor or Watch Commander of the facts of the arrest or detention or allegation.

> After business hours, if the member is unable to contact their immediate supervisor or Watch Commander at the Unit of Assignment, the member shall contact Sheriff's Headquarters Bureau and request immediate notification to their Unit Commander. The member shall provide details of the arrest or detention to Sheriff's Headquarters Bureau, including alleged charge(s), location, police agency jurisdiction, and return phone number where the member can be reached, for relay to the Unit Commander. The Sheriff's Headquarters Bureau member receiving notification shall immediately notify the employee's Unit Commander.
>
> The Unit Commander shall immediately notify Internal Affairs Bureau. The employee's Unit Commander shall immediately respond to the member's location if the member is arrested and taken into custody.

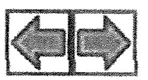
According to the nature of the offense and in conformance with the rules of the Department of Human Resources, disciplinary action may result and may include, but is not limited to, the following:

- a reprimand (written);
- suspension without pay;
- reduction in rank; and/or

- dismissal from the Department.

NOTE: For purposes of this section, any reference to "members" hall include any member of the Department, both sworn and professional staff.

Revised 12/12/13
Revised 05/22/11
Revised 09/23/09 (Implementation October 1, 2009)
Revised 02/22/99
04/01/96 MPP



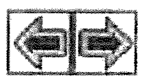
3-01/030.16 FAMILY VIOLENCE

Members of the Los Angeles County Sheriff's Department are prohibited from engaging in acts of family violence as defined by applicable law. All family violence incidents involving Department employees will be thoroughly evaluated by management and, if necessary, investigated.

For the purposes of this policy, incidents of family violence may include, but are not limited to, domestic violence as defined in the Manual of Policy and Procedures, section 5-09/030.00, Domestic Violence.

Members found in violation of this policy will be subject to appropriate discipline.

Revised 10/19/12
Revised 02/22/99



3-01/050.30 OFF-DUTY INCIDENTS

Off-Duty Police Action

Deputy personnel, although technically off duty, shall take action as deemed appropriate on any police matter coming to their attention. Appropriate action, depending on the circumstances, may require only accurate observation and becoming an effective witness or informant.

The Penal Code gives specified law enforcement officers peace officer authority anywhere in the state as to a "public offense committed or which there is probable cause to believe has been committed in his presence and with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of such offense." Therefore, unless the off-duty officer has observed the commission of a crime and there is an immediate danger to person or property, or he has received prior approval from the chief law enforcement officer of that jurisdiction, he should not take police action in the capacity of a peace officer, when he is outside the jurisdiction of this Department. He should notify the police agency having jurisdiction.

Arrests made while off-duty, within the State of California but outside the jurisdiction of this Department, which result in civil action will be defended by the County Counsel if the Department procedures listed below are followed.

In all situations wherein Deputy personnel take positive police action in any off-duty incident, Deputy personnel shall adhere to the following procedures:

- identify themselves as peace officers before taking any police action, safety permitting;
- make an arrest if the elements of an arrest are present and a legal arrest can be made;
- immediately notify their Unit Commander or ranking supervisor on-duty at their Unit by telephone and verbally advise him of the situation when police action is taken; and
- prepare appropriate written reports, as directed.

NOTE: All on duty Department reporting procedures (e.g., use of force reporting and review procedures, mandatory IAB notifications, etc.) are in full force and effect and shall be strictly followed any time Deputy personnel take positive police action in any off duty incident after having identified themself as a peace officer.

Off-Duty Incidents - Personal Involvement

Members who are arrested or detained for any offense, or named as a suspect, other than an infraction under the Vehicle Code, shall immediately notify their immediate supervisor or Watch Commander of the facts of the arrest or detention or allegation. The immediate supervisor or Watch Commander receiving notification shall immediately notify Sheriff's Headquarters Bureau with the facts of the arrest, detention, or allegation.

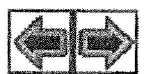
After business hours, and/or if the member is unable to contact their immediate supervisor or

Watch Commander at their Unit of Assignment, the member shall contact Sheriff's Headquarters Bureau and request immediate notification to their Unit Commander. The member shall provide details of the arrest, detention or allegation to Sheriff's Headquarters Bureau personnel, including alleged charge(s), location, police agency jurisdiction, and return phone number where the member can be reached. The Sheriff's Headquarters Bureau member receiving notification shall immediately notify the employee's Unit Commander.

The Unit Commander shall immediately notify Internal Affairs Bureau. The employee's Unit Commander shall immediately respond to the member's location if the member is arrested and taken into custody. The Unit Commander also shall ensure that an administrative investigation is initiated.

NOTE: Unit Commanders shall refer to and follow the procedures contained in Unit Commander's Letter #398 (dated August 16, 2010) for specific responsibilities when an employee in their command is involved in an off-duty, alcohol-related incident.

Revised 12/12/13
Revised 03/29/13
Revised 06/01/12
Revised 05/22/11
Revised 09/23/09 (Implementation October 1, 2009)
Revised 07/12/02
04/01/96 MPP



3-01/040.69 HONESTY POLICY

Department members are held to the highest standards of integrity and ethics. In particular, honesty and trustworthiness are of paramount importance to the credibility and integrity of all Department members. Honesty and maintaining the trust of those we serve depend on candor, forthrightness, sincerity, and accuracy.

Dishonesty destroys trust and violates Department policy. Examples of dishonesty and violations of trust include not only false statements, but also deliberate distortions of the truth; intentional exaggerations, concealment of or failure to disclose material facts, observations, or recollections, and failure to make full, complete and truthful statements when required.

Department members who violate this section are subject to discipline up to and including discharge.

11/24/15 MPP

3-01/040.70 FALSE STATEMENTS

Members shall not make false statements when questioned, interviewed or in reports submitted.

04/01/96 MPP

3-01/040.75 FAILURE TO MAKE STATEMENTS AND/OR MAKING FALSE STATEMENTS DURING DEPARTMENTAL INTERNAL INVESTIGATIONS

If requested to make a statement in the course of an official Department internal investigation, members shall make full, complete and truthful statements.

Failure or refusal to make statements, or making false statements during Department internal investigations, may result in disciplinary action.

04101/96 MPP